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Food Safety in the Enlarged EU

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Report Highlights:

The existing body of EU law - including food law - will become applicable in ten new EU Member States upon accession, currently foreseen on May 1, 2004. As part of the transition to EU food law, new border inspection posts performing veterinary check on third country imports will have to be approved.

Includes PSD Changes: No
Includes Trade Matrix: No
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Summary. Food safety is an integral part of the EU policy on consumer protection and health. Its "farm to table" approach must thus also be adopted by the accession countries (Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia). Accession countries have been making progress in upgrading their food safety approach to comply with EU law. Transitional measures will allow a limited number of establishments that are still in the process of upgrading their facilities to continue production for the domestic market of the new Member State until 2007 at the latest. Other important steps such as the establishment of border inspection posts (BIPs) to perform import controls on the new external EU borders, still have to be accomplished. In September 2003, the Standing Committee on the Food Chain and Animal Health is expected to approve a first list of BIPs in the new EU Member States. **End Summary.**

At the Copenhagen European Summit on December 13, 2002, Heads of State and Government from the EU and ten candidate countries reached agreement on a formula for enlarging the EU to encompass ten new member states. The ten new member states will be Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia. The accession treaty was signed in Athens, Greece on April 16, 2003. The accession treaty must be ratified by EU member states, candidate countries and the European Parliament before formal accession can take place. Full membership to the Union is expected to take place on May 1, 2004. Bulgaria and Romania have not yet concluded their accession negotiations and the two countries are now expected to join the EU in 2007.

Food safety issues are spread over two areas of the accession negotiations:

- Chapter 1 "Free Movement of Goods" covers food legislation;
- Chapter 7 "Agriculture" covers veterinary and phytosanitary issues, and animal nutrition.

Food legislation includes general rules for hygiene and control, food labeling, food additives, food packaging and genetically modified foods. Veterinary legislation includes animal health, animal welfare, animal identification and registration, internal market control systems, external border controls and public health requirements for establishments in relation to animal products. Phytosanitary legislation includes plant health (harmful organisms, pesticides), seeds and propagating material, and plant hygiene. Animal feed legislation includes the safety of feed materials and additives, labeling, contaminants in feed, controls and inspections.

Transitional Measures

Upon accession, the whole *acquis* (the existing body of EU law) will become effective in the new Member States. The basic approach taken is that the *acquis* related to food safety is fully transposed into the national legislation of each new member state and that administrative structures and procedures are strengthened and reformed in good time prior to accession. The Commission has however considered a limited number of requests for transitional arrangements. The measures are limited in time and scope. Products coming from establishments in transition must stay on the domestic market of the new Member States. Establishments that have no transitional periods and do not fulfill EU legislation will have to close down.

Agreed transitional periods per country, listing number of establishments per sector

- **Poland:** 332 meat establishments (until December 2007), 113 milk establishments (until December 2006), 40 fish establishments (3 years);

- **Czech Republic:** 44 meat establishments, 1 egg establishment, 7 fish establishments (until December 2006);
- **Hungary:** 44 red meat establishments (until December 2006);
- **Latvia:** 29 fish processing establishments (until January 2005), 77 meat establishments (until January 2006), 11 milk processing establishments (until January 2005);
- **Lithuania:** 14 meat establishments, 5 fish establishments and 1 milk establishment (until January 2007);
- **Slovakia:** 1 meat and 1 fish establishment (December 2006).

Future External Borders: Border Inspection Posts for Animals and Products

EU veterinary controls on third country imports require a system of border inspection posts (BIPs) at external borders with third countries to perform checks including documentary, identity and physical checks of the animals or animal products presented. Following these checks at the first border crossing point into the EU, animals and products can in principle circulate freely in the internal market.

Currently there are some 283 EU Border Inspection Posts (BIPs) operated by national authorities. Most of these are ports and airports, others are road or rail links located in particular at the eastern borders of the Union. At accession the existing BIPs on the eastern land borders of Germany, Austria and Italy will become internal borders within the EU. They should close and be replaced by those on the eastern borders of the new Member States. In total, some 51 BIPs are proposed by the 10 new Member States to be ready by the time of accession.

Setting up Border Inspection Posts for veterinary and other controls in the new Member States requires buildings, equipment and staff to be in place to carry out the required border checks. EU legislation sets out minimum standards for BIP facilities, depending on the type of products to be checked. The Commission has stated that they are monitoring developments carefully and that only those BIPs fully ready at accession will be approved and listed. The Commission will need to take a legal decision through the Standing Committee on the Food Chain and Animal Health composed of Representatives of the Member States to approve veterinary BIPs. A first draft list of BIPs to be approved will be drawn up in September 2003.

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